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BY ECF

Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Suite 1950
New York, New York 10007

**Re: *City of Almaty, Kazakhstan, et ano. v. Mukhtar Ablyazov, et al.,*
Case No. 15 Civ. 5345 (AJN) (KHP)**

Dear Judge Parker:

We represent the City of Almaty, Kazakhstan and BTA Bank (the “Kazakh Entities”). We write to respectfully request that the Court accept for filing under seal the enclosed letter-reply in response to points raised by defendants Ilyas and Viktor Khrapunov and Triadou SPV S.A, respectively, in their June 7th and June 11th letters opposing the Kazakh Entities’ request to depose three additional witnesses in this action. [ECF Nos. 709, 719]. In accordance with the Court’s Individual Practice ¶ 3(d), accompanying this cover letter are versions of the Kazakh Entities’ reply to remain under seal subject to the Court’s approval and a version of the filing with highlighting reflecting proposed redactions, to be filed publicly. In accordance with the Court’s Individual Practices, the Kazakh Entities will file the proposed redacted version on ECF.

This letter describes a confidential witness whose counsel has expressed fears for the witness’s safety should his or her identity be exposed, as described therein. In an abundance of caution and out of concern for the witness’s safety, Plaintiffs have redacted all information in this letter identifying the witness, pending a ruling from the Court. In addition, the letter references documents attached to Triadou’s filing that the Kazakh Entities have marked as confidential, which were obtained as part of, and relate to, pending criminal investigations, and thus are properly designated confidential under the Protective Order.

In accordance with the Court’s prior orders sealing evidence and testimony designated as “Confidential” in connection with discovery-related motions, and pending a ruling from the Court on the confidential witness’s safety concerns, the Kazakh Entities respectfully request that this letter motion and accompanying exhibit be filed under seal.

Respectfully,

/s/ Matthew L. Schwartz
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